

REMARKS

By the above actions, claims 1, 3, 14, 20, and 21 have been amended and claims 2, 5, 15, and 18 have been canceled. In view of these actions and the following remarks, reconsideration of this application is requested.

All of the claims have been rejected under 35 USC § 102 or § 103 based upon the Gür et al. patent, either by itself (claims 1-4, 6-13, 15, 20, and 21) or in combination with one of the patents to Sridharan et al. (claim 5), Omara et al. (claims 14, 16, 17, 19 and 22-24) or both of these patents (claim 18). To the extent that these rejections relate to the claims as now presented, they should be withdrawn for the following reason.

First, all of the claims as now presented require that the reference electrode with a gastight cover layer that is formed in part by the solid electrolyte and in remaining part by a low-sodium glass cover layer, i.e., the reference electrode is encapsulated solely by these two parts as shown in the Fig. 1 embodiment. This is not the case for the sensor of the Gür et al. patent, a fact recognized in part by the Examiner in that neither of claims 5 and 18 was rejected solely on the basis of the Gür et al. patent, the Sridharan et al. patent being relied upon for a teaching of a low-sodium glass cover layer. However, the Sridharan et al. patent merely discloses glass compositions for use in sealing oxygen sensors, not any specific manner of using such glass. However, as can be seen the Gür et al. patent, their glass seals 16, 26 are supplemental to their electrolytes 11, 21 and oxygen barriers 14, 23 (which are disclosed as being made of Silver, Platinum or Gold) in the embodiments of Figs. 1 and 2A-2F, while their glass seal 37 is supplemental to their encapsulation of the reference electrode by the electrolyte 34 and substrate 31 in the Fig. 3 embodiment. Thus, one of ordinary skill applying the particular glass of Sridharan et al. to the sensor of the Gür et al. patent would have no basis to do so other than in the manner taught in the Gür et al. patent, i.e., as a supplemental covering for the electrolyte and oxygen barrier or substrate. Thus, no combination of the Gür et al. patent and the Sridharan et al. patent could lead to the invention as now claimed.

As for the Omara et al. patent, it is not seen to have any relevance to either the Gür et al. patent or the present invention in that it is directed to an oxygen sensor that has no reference sensor and in fact states that an advantage of their design is that it eliminates the

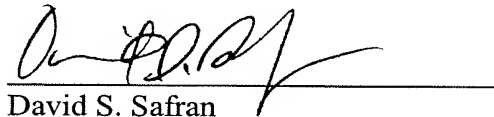
need for a reference atmosphere (see, the last full paragraph of column 2). Furthermore, the electrodes of Omara et al.'s sensor are not encapsulated in an airtight manner, but rather each is covered by a "porous inert layer" (see, e.g., col. 3, lines 53-55 and col. 5, lines 51-53). Thus, the Omara et al. patent cannot teach anything with regard to airtight encapsulation of a reference electrode of an oxygen sensor.

Thus, since the Gür et al. patent fails to teach an oxygen sensor having the configuration of the present claims or the process by which such a sensor is produced defined by the claims as now presented and since the Sridharan et al. and Omara et al. patents fail to teach modifications which would rendered the claimed invention obvious, reconsideration and withdrawal of the outstanding rejections under §§ 102 and 103 are in order and are now requested.

The references that have been cited but not applied by the Examiner have been taken into consideration. However, since these references were not found to be relevant enough by the Examiner to apply against the original claims, no detailed comments thereon are believed to be warranted at this time.

While this application should now be in condition for allowance, in the event that any issues should remain after consideration of this response which could be addressed through discussions with the undersigned, then the Examiner is requested to contact the undersigned by telephone for that purpose.

Respectfully submitted,



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